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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,121	05/31/2006	Masahito Higashida	DK-US040809	1754
	7590 06/12/200 OUNSELORS, LLP		EXAMINER	
1233 20TH STI	REET, NW, SUITE 70		JONES, MELVIN	
WASHINGTON, DC 20036-2680			ART UNIT	PAPER NUMBER
			3744	
			MAIL DATE	DELIVERY MODE
			06/12/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)			
	10/581,121	HIGASHIDA, MASAHITO			
Office Action Summary	Examiner	Art Unit			
	Melvin Jones	3744			
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period v - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONEI	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).			
Status					
Responsive to communication(s) filed on <u>31 M</u> . 2a) This action is FINAL . 2b) This 3) Since this application is in condition for allowar closed in accordance with the practice under E	action is non-final. nce except for formal matters, pro				
Disposition of Claims					
4) ☐ Claim(s) 1-7 is/are pending in the application. 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) 4,6 and 7 is/are allowed. 6) ☐ Claim(s) 1 is/are rejected. 7) ☐ Claim(s) 2,3 and 5 is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or Application Papers 9) ☐ The specification is objected to by the Examine 10) ☐ The drawing(s) filed on 31 May 2006 is/are: a)	r election requirement. r. ⊠ accepted or b)⊟ objected to b				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).					
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 					
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 05312006.	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal P 6) Other:	nte			

DETAILED ACTION

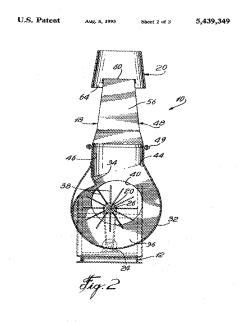
Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1is rejected under 35 U.S.C. 102(b) as being anticipated by Kupferberg (US Patent No. 5,439,349). Kupferberg discloses a fan apparatus comprising: a fan apparatus (10), a centrifugal fan casing (14), a scroll (32) within said casing surrounding an impeller (38), inlet port (40) and the scroll intake portion having a bulged. Kupferberg further discloses an opening (55).



Allowable Subject Matter

Claims 4,6 & 7 are allowed over the prior art of record.

Claims 2,3 & 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin Jones whose telephone number is (571)272-4810. The examiner can normally be reached on Monday- Wednesday & Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cheryl Tyler can be reached on (571) 272-4834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Melvin Jones/ Primary Examiner, Art Unit 3744